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8 Attorney For Rowell Ranch Rodeo Inc.

9 UNITED STATE DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11 JOSEPH P. CUVIELLO and DENIZ
12 BOLBOL, individually,

13 PLAINTIFFS.

14 v.

15 ROWELL RANCH RODEO, INC., et al.,

16 DEFENDANTS.

Case No. 3:23-cv-01652-VC

**DEFENDANT ROWELL RANCH
RODEO'S RESPONSE TO
PLAINTIFF DENIZ BOLBOL'S
FIRST SET OF INTERROGATORIES
[F.R.C.P Rule 33]**

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19 The Defendant Rowell Ranch Rodeo Inc., pursuant to Federal Rule of Civil Procedure
20 Rule 33, responds to the Plaintiff Deniz BolBol first set of interrogatories as follows:
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22 **INTERROGATORIES**

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24 **INTERROGATORY NO. 1: IDENTIFY DOE DEFENDANT 1:**

25 **RESPONSE TO INTERROGATORY NO. 1:** Gary Houts, 3473 Castro Valley Blvd. Castro
26 Valley, California 94546. Tel: (804) 704 1051.
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INTERROGATORY NO. 2: DESCRIBE DOE DEFENDANT 1's relationship to the Rowell Ranch Rodeo, including his function during the 2022 Events.

RESPONSE TO INTERROGATORY NO. 2: Mr. Houts was a volunteer. In 2022, he served as Rowell Ranch Rodeo Inc's. Public Safety Coordinator.

INTERROGATORY NO. 3: IDENTIFY DOE DEFENDANT 2.

REPOSENSE TO INTERROGATORY NO. 3: George Ferris, 6674 Palo Verde Road, Castro Valley, C 94552, Tel: (510) 715 4358.

INTERROGATORY NO. 4: DESCRIBE DOE DEFENDANT 2's relationship to the Rowell Ranch Rodeo, including his function during the 2022 Events.

RESPONSE TO INTERROGATORY NO. 4: Mr. Ferris was a Volunteer. In 2022, he served as a parking lot attendant for Rowell Ranch Rodeo Inc.

INTERROGATORY NO. 5: IDENTIFY DOE DEFENDANT 1's supervisor.

RESPONSE TO INTERROGATORY NO. 5: The Arena Boss and Site Boss as defined in the 2022 Emergency Action Plan (EAP). In 2022 the Arena Boss was Russell Fields and the Site Boss was Brian Morrison. Both are members of the Board of Rowell Ranch and can be contacted through its counsel.

INTERROGATORY NO. 6: IDENTIFY DOE DEFENDANT 2's supervisor.

RESPONSE TO INTERROGATORY NO. 6: The Arena Boss and Site Boss as defined in the 2022 Emergency Action Plan (EAP). In 2022 the Arena Boss was Russell Fields and the Site Boss was Brian Morrison. They are current members of the Rowell Ranch Board and can be reached through its counsel.

INTERROGATORY NO. 7: DESCRIBE the policies and procedures YOU follow to ensure a DEMONSTRATOR'S FIRST AMENDMENT RIGHTS are not violated at the Rowell Ranch Rodeo Park in Hayward, California.

RESPONSE TO INTERROGATORY NO. 7: A Free Expression area is established as part of the EAP. Section 6A of HARD policy requires that the EAP include a designated area for "Public Speech". Any questions regarding an attendee's conduct, at the rodeo event, are

1 referred to law enforcement as required in the EAP.

2 **INTERROGATORY NO. 8:** DESCRIBE the training and instruction YOU provide to YOUR
3 employees to ensure compliance with the policies and procedures described in Interrogatory
4 number 5 (sic 7), including the specifications for differences in training and instructions for
5 different individuals.

6 **RESPONSE TO INTERROGATORY NO. 8:** Rowell Ranch Rodeo Inc. has no employees. It
7 is a non-profit organization. All persons assisting with the rodeo are volunteers. Rowell Ranch
8 briefs the security contractor, who in 2022 was Admiral Security License number
9 CAPPO15200, and the volunteers prior to the commencement of the annual event on the
10 policies and procedures stated in the EAP. There are daily meetings with the Public Safety
11 Coordinator during the event to review the EAP and any issues that may have arisen during the
12 previous day.

13 **INTERROGATORY NO. 9:** DESCRIBE the training and instruction YOU provide to YOUR
14 contractors to ensure compliance with the policies and procedures described in Interrogatory No.
15 8.

16 **RESPONSE TO INTERROGATORY NO. 9:** Rowell Ranch briefs the security contractor,
17 who in 2022 was Admiral Security License number CAPPO15200, and the volunteers prior to
18 the commencement of the annual event on the policies and procedures stated in the EAP. There
19 are daily meetings with the Public Safety Coordinator during the event to review the EAP and
20 any issues that may have arisen during the previous day.

21 **INTERROGATORY NO. 10:** DESCRIBE the training and instruction YOU provide to YOUR
22 volunteers to ensure compliance with the policies and procedures described in Interrogatory No.
23 8.

24 **RESPONSE TO INTERROGATORY NO. 10:** Rowell Ranch briefs the volunteers prior to
25 the commencement of the annual event on the policies and procedures stated in the EAP. There
26 are daily meetings with the Public Safety Coordinator during the event to review the EAP and
27 any issues that may have arisen during the previous day.

28 **INTERROGATORY NO. 11:** DESCRIBE the reason you set up a "Free Speech Area" during

1 the "2022 Events?"

2 **RESPONSE TO INTERROGATORY NO. 11:** Designation of a Free Speech area (or "Public
3 Speech as defined by HARD requirements) is part of the security plan required by the Rowell
4 Ranch Rodeo Policy, Fees and Guidelines published by HARD.

5 **INTERROGATORY NO. 12:** IDENTIFY the person(s) who determined where to locate the
6 "Free Speech Area" that was set up on May 20, 2022.

7 **RESPONSE TO INTERROGATORY NO. 12:** The location was selected by the Arena Boss
8 (Russell Fields) and the Site Boss (Brian Morrison), and HARD representatives. Mr. Fields and
9 Mr. Morrison, as members of the RRR board, can be contacted through counsel.

10 **INTERROGATORY NO. 13:** DESCRIBE the process and determining factors for the location
11 of the "Free Speech Area" during the 2022 Events.

12 **RESPONSE TO INTERROGATORY NO. 13:** The location selected was determined by
13 using the areas where protestors normally convened during prior years. Also, the area
14 provided protestors access to all the patrons and cars entering the park while minimizing possible
15 dangers that would be caused when mixing pedestrians in the driving and parking areas.

16 **INTERROGATORY NO. 14:** DESCRIBE whether the Hayward Area Recreation and Park
17 District (HARD) provided any input regarding the location of the "Free Speech Area" during the
18 2022 Events.

19 **RESPONSE TO INTERROGATORY NO. 14:** Yes. The location was designated on the EAP
20 that was approved by HARD.

21 **INTERROGATORY NO. 15:** IDENTIFY all HARD representatives of HARD who assisted in
22 the development of the "Free Speech Area" for the 2022 Events.

23 **RESPONSE TO INTERROGATORY NO. 15:** Chris Peterson, Lori Ryan, HARD General
24 Manager whose name is not currently known.

25 **INTERROGATORY NO. 16:** DESCRIBE all communications with the Alameda County
26 Sheriff's Office or its representatives regarding the location of the "Free Speech Area" during the
27 2022 Events.

28 **RESPONSE TO INTERROGATORY NO. 16:** Objection the request is vague as to

1 discussions between whom and the Sheriff's Department. Without waiving said objection and
 2 assuming the request seeks identification of communications between the Sheriff and Rowell
 3 Ranch associated personnel, the response is as follows: The Sheriff's Department personnel
 4 were shown where the free speech area was located and coned off.

5 **INTERROGATORY NO. 17:** IDENTIFY the representatives of the Alameda County Sheriff's
 6 Office or its representatives that participated in the communications described in Interrogatory
 7 No. 14 (sic 16).

8 **RESPONSE TO INTERROGATORY NO. 17:** At this time responding party has no
 9 information which could be used to identify which members of the Alameda County Sheriff's
 10 Office were shown the location of the "Free Speech Area."

11 **INTERROGATORY NO. 18:** IDENTIFY all board members of Rowell Ranch Rodeo Inc.

12 **RESPONSE TO INTERROGATORY NO. 18:** Objection vague as to time. Without waiving
 13 said objection and assuming the intent of the inquiry is identification of all board members as of
 14 2022 and the present, responding party states as follows: the 2022 Board Members were: Brian
 15 Morrison, Janet Lemmons, Cliff Sherwood, Joe Paulo, Russell Fields, Luther Critzer, Guy
 16 Warren George Pacehco. In early 2023 Mr. Sherwood resigned and Mr. Paul Martin took his
 17 place on the board. All current members of the board can be reached through responding party's
 18 counsel. Mr. Sherwood's last known contact information is: Cliff Sherwood, P.O. Box 2673
 19 Castro Valley, California 94546, (510) 828 1265 (cshwerwood@sherwoodandco.net).

20 **INTERROGATORY NO. 19:** LIST and DESCRIBE the current financial holding and assets of
 21 Rowell Ranch Rodeo Inc.

22 **RESPONSE TO INTERROGATORY NO. 19:** As responding party is a non-profit
 23 organization the requested information is available on its annual form 990 which is filed with the
 24 IRS and is available to the public on the internet. In its 2022 filing, made in January of 2023,
 25 Rowell Ranch Rodeo declared, on its form 990, \$575,656 in gross receipts and expenses of
 26 \$395,273. It listed net income, after administrative expenses, of \$172,771. It listed total assets
 27 of \$551,587.00.

28 **INTERROGATORY NO. 20:** LIST and DESCRIBE the net income which resulted from the

1 2022 Events.

2 **RESPONSE TO INTERROGATORY NO. 20:** For its tax year ending July of 2022, the total
3 net income from operations was \$172,771 as shown on its form 990.

4 **INTERROGATORY NO. 21:** LIST and DESCRIBE compensation paid to employees,
5 contractors, volunteers and associates in connection with the 2022 Events.

6 **RESPONSE TO INTERROGATORY NO. 21:** Objection the request seeks information
7 protected by third parties rights of privacy. Without waiving said objection responding party
8 states: Rowell Ranch Rodeo Inc. has no employees. The volunteers receive no compensation.
9 There is prize money paid to participants based upon their placing in the individual rodeo events.

10 **INTERROGATORY NO. 22:** DESCRIBE the telephone conversation between DOE
11 DEFENDANT 1 law enforcement on May 20, 2022, as referenced in paragraph 98 of the
12 Complaint, including the number dialed, the agency contacted and all details of the call.

13 **RESPONSE TO INTERROGATORY NO. 22:** Responding party does not understand that
14 DOE 1, (Gary Houts) called the Alameda County Sheriff as alleged. Instead he called Brian
15 Morrison (Site Boss).

16 **INTERROGATORY NO. 23:** IDENTIFY the name of the person whom DOE DEFENDANT
17 1 spoke during the telephone call referenced in paragraph 41 of the Complaint and Interrogatory
18 No. 8 above.

19 **RESPONSE TO INTERROGATORY NO. 23:** Brian Morrison, who may be reached through
20 Responding party's counsel.

21 **INTERROGATORY NO. 24:** Describe any complaints, whether informal or formal, YOU have
22 received alleging DOE DEFENDANT 1's interference with a DEMONSTRATOR'S FIRST
23 AMENDMENT RIGHTS. This interrogatory is limited in time only with respect to DOE
24 DEFENDANT 1's agency relationship with YOU.

25 **RESPONSE TO INTERROGATORY NO. 24:** Prior to service of the pending action no
26 complaints were ever received.

27 **INTERROGATORY NO. 25:** Describe any complaints, whether informal or formal, YOU
28 have received alleging DOE DEFENDANT 2's interference with a DEMONSTRATOR'S

1 FIRST AMENDMENT RIGHTS. This interrogatory is limited in time only with respect to DOE
2 DEFENDANT 2's agency relationship with YOU.

3 **RESPONSE TO INTERROGATORY NO. 25:** Prior to service of the pending action no
4 complaints were ever received.

5 **INTERROGATORY NO. 26:** Describe any action YOU have taken regarding DOE
6 DEFENDANT 1's interference with a DEMONSTRATOR'S FIRST AMENDMENT RIGHTS.

7 **RESPONSE TO INTERROGATORY NO. 26:** Objection this interrogatory exceeds the
8 allowable number of interrogatories under the provisions of Federal Rule of Civil Procedure
9 Rule 34. Without waiving said objection responding party states: In 2023, after receipt of the
10 instant lawsuit, Responding party made sure that prior to the 2023 rodeo event, that the EAP
11 was reviewed with the volunteers and that the policies and procedures stated in the EAP were
12 covered. Daily meetings during the 2023 event were done to review the EAP and any issues that
13 may have arisen during the prior day of the event.

14 **INTERROGATORY NO. 27:** Describe any action YOU have taken regarding DOE
15 DEFENDANT 2's interference with a DEMONSTRATOR'S FIRST AMENDMENT RIGHTS.

16 **RESPONSE TO INTERROGATORY NO. 27:** Objection this interrogatory exceeds the
17 allowable number of interrogatories under the provisions of Federal Rule of Civil Procedure
18 Rule 34. Without waiving said objection responding party states: In 2023, after receipt of the
19 instant lawsuit, Responding party made sure that prior to the 2023 rodeo event, that the EAP was
20 reviewed with the volunteers and that the policies and procedures stated in the EAP were
21 covered. Daily meetings during the 2023 event were done to review the EAP and any issues that
22 may have arisen during the prior day of the event.

23
24 Date: August 15, 2023

LAW OFFICE OF WILLIAM F. BURNS

25
26 William F. Burns, Esq. Attorney for
Rowell Ranch Rodeo Inc.

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2 VERIFICATION
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4 I, Russell Fields, am the Chief Executive Office for Rowell Ranch Rodeo, Inc. I have read the
5 foregoing response to Plaintiff Deniz BolBol's First Set of Interrogatories and know the contents
6 to be true and correct, except where stated on information and belief and as to those matters I
7 believe them to be true. Pursuant to the laws of the United States I declare under penalty of
8 perjury that the foregoing is true and correct. Executed this 17 day of August 2023, at
9 Castro Valley, California.

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11 Russell Fields
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CERTIFICAT OF SERVICE

I, William F. Burns. declare:

I am employed in Alameda County, State of California, am over the age of eighteen years, and not a party to the within action. My business address is 699 Peters Ave, Suite B Pleasanton, California 94566. I am readily familiar with the business practice for collection and processing of correspondence for mailing with the United States Postal Service. On 8/2023 I served the within:

DEFENDANT ROWELL RANCH RODEO'S RESPONSE TO INSPECTION DEMAN SET ONE OF BOLBOL

DEFENDANT ROWELL RANCH'S RESPONSE TO FIRST SET OF INTERROGATORIES OF BOLBOL

to the parties in this action by placing a true copy thereof in a sealed envelope, and each envelope addressed as follows:

JOSEPH P. CUVIELLO
205 DeAnza Blvd No. 125
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Plaintiff/Pro Se

Via Email pcuvie@gmail.com

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☐ I caused each such envelope to be served by depositing same, with postage thereon fully prepaid, in the United States Postal Service at Pleasanton, California

☒ (via email) I caused the document to be service via facsimile to each party as follows as indicated above.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on 8/20/23, at Pleasanton, California.


WILLIAM F. BURNS